

1 The Hon. Robert S. Lasnik
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10 UNITED STATES DISTRICT COURT FOR THE
11 WESTERN DISTRICT OF WASHINGTON
12 AT SEATTLE
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15 UNITED STATES OF AMERICA,
16 Plaintiff,

17 v.
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19 JULIAN GUTIERREZ-PONCE, and
20 JUAN JOSE VEGA-FLORES,
21 Defendants.

NO. CR20-036 RSL

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**PROTECTIVE ORDER TO RESTRAIN
CERTAIN FORFEITABLE PROPERTY**

THIS MATTER comes before the Court on the United States' Motion for Entry of a Protective Order Restraining Certain Forfeitable Property, specifically the following property:

- Approximately \$15,900 in U.S. currency, seized on or about February 19, 2020 from Defendant Julian Gutierrez-Ponce's residence in Seattle, Washington; and
- Approximately \$16,000 in U.S. currency, seized on or about February 19, 2020 from Defendant Gutierrez-Ponce's residence in Seattle, Washington.

1 The Court, having reviewed the papers and pleadings filed in this matter, hereby
2 FINDS entry of a protective order restraining the above-described property (hereinafter,
3 the “Subject Property”) is appropriate because:

- 4 • A defendant in this case, Julian Gutierrez-Ponce, has been charged with
5 offenses including, as set forth in Count 1 of the Indictment, *Conspiracy to*
6 *Distribute Controlled Substances*, in violation of 21 U.S.C. §§ 841(a)(1),
7 841(b)(1)(A), 841(b)(1)(B), and 846, (Dkt. No. 24);
- 8 • The Indictment and the Forfeiture Bill of Particulars provided notice of the
9 United States’ intent, pursuant to 21 U.S.C. § 853(a), to seek the forfeiture of
10 any property, including the Subject Property, that constitutes the proceeds of,
11 or was used or intended to be used to facilitate, the charged drug trafficking
12 conspiracy, (Dkt. Nos. 24, at 4–6; 49);
- 13 • Based on the facts set forth in the Affidavit of Drug Enforcement
14 Administration Special Agent Eric Rodenberg, there is probable cause to
15 believe that the Subject Property is subject to forfeiture in this case; and
- 16 • To ensure that the Subject Property remains available for forfeiture, its
17 continued restraint, pursuant to 21 U.S.C. § 853(e)(1), is appropriate.

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19 NOW, THEREFORE, THE COURT ORDERS:

20 1. The United States’ request for a protective order restraining the Subject
21 Property pending the conclusion of this case is GRANTED; and

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2. The Subject Property shall remain in the custody of the United States, to include its federal agencies and/or their authorized agents or representatives, pending the conclusion of criminal forfeiture proceedings and/or further order of this Court.

IT IS SO ORDERED.

DATED this 6th day of July, 2020.

Mr S Lasnik
THE HON. ROBERT S. LASNIK
UNITED STATES DISTRICT JUDGE

Presented by:

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